

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization International Bureau





(43) International Publication Date 6 May 2004 (06.05.2004)

PCT

(10) International Publication Number WO 2004/037997 A3

- (51) International Patent Classification7: A61K 49/00, 39/395, 39/40, 39/02, 39/04, C12Q 1/00, C07H 21/02
- (21) International Application Number:

PCT/US2003/033692

- (22) International Filing Date: 22 October 2003 (22.10.2003)
- (25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/420,129

22 October 2002 (22.10.2002) US

- (71) Applicant (for all designated States except US): THE TRUSTEES OF THE UNIVERSITY OF PENN-SYLVANIA [US/US]; 3160 Chestnut Street, Suite 200, Philadelphia, PA 19104-6283 (US).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): AVARBOCK, David, Howard [US/US]; Apartment 1124, 225 South 18th Street, Philadelphia, PA 19103 (US). RUBIN, Harvey [US/US]; 9509 Germantown Avenue, Philadelphia, PA 19118 (US). AVARBOCK, Andrew, Brian [US/US]; Apartment 1124, 225 South 18th Street, Philadelphia, PA 19103 (US).
- (74) Agent: ATTWELL, Gwllym, John, Owen; Cozen O'Connor, 1900 Market Street, Philadelphia, PA 19103 (US).

- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 18 November 2004

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

Wrong PD NO





(57) <u>Abstract:</u> The present invention relates to mycobacteria. The present invention further relates to *M. tuberculosis*. The present invention further relates to the Rel_{Mtb}. The present invention also relates to identifying new antibacterial targets and agents to inhibit mycobacterial growth. The present invention also relates to polynucleotides of Rel_{Mtb}, Polypeptides of Rel_{Mtb}, and antibodies that bind Rel_{Mtb} and methods of using the same.

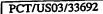
INTERNATIONAL SEARCH REPORT

International application No.

PCT/US03/33692

| A. CLASSIFICATION OF SUBJECT MATTER | | | | |
|--|---|--|--|--|
| IPC(7) : A61K 49/00, 39/395, 39/40, 39/02, 39/04; C12Q 1/00; C07H 21/02 US CL : 424;9.1,9.2,130.1,139.1,168.1,234.1,248.1; 435/4, 7.1, 26; 530/300, 350; 536/23.1, 23.7 | | | | |
| According to International Patent Classification (IPC) or to both national classification and IPC | | | | |
| B. FIELDS SEARCHED | | | | |
| Minimum documentation searched (classification system followed by classification symbols) U.S.: 424;9.1,9.2,130.1,139.1,168.1,234.1,248.1; 435/4, 7.1, 26; 530/300, 350; 536/23.1, 23.7 | | | | |
| Documentation | on searched other than minimum documentation to th | e extent that such documents are included | in the fields searched | |
| Electronic da BIOSIS CAB | ta base consulted during the international search (nan A, CAPLUS, EMPASE, JAPIO, LIFESCI, MEDLIS | ne of data base and, where practicable, sea NE, SCISEARCH, USPATFULL | arch terms used) | |
| C. DOCUMENTS CONSIDERED TO BE RELEVANT | | | | |
| Category * | Citation of document, with indication, where a | appropriate, of the relevant passages | Relevant to claim No. | |
| Y | AVARBOCK, D0. et al. Differential regulation of aminoacylation state of a tRNA-ribosome-mRNA-R September 2000, Vol. 39, No. 38, pages 11640-116 | opposing RELmtb activities by the elmtb complex. Biochemistry. | 1-8,33-38, 85-101 | |
| Y | PRIMM, T.P. et al. The stringent response of Myolong-term survival. Journal of Bacteriology. Septe 4889-4898, entire reference. | cobacterium tuberculosis is required for mber 2000, Vol. 182, No. 17, pages | 1-8,33-38, 85-101 | |
| Y | US 5,834,279 A (RUBIN et al.) 10 November 199 | 98, entire reference. | 1-8, 33-38, 85-101 | |
| | · | | · | |
| Further documents are listed in the continuation of Box C. See patent family annex. | | | | |
| * Special categories of cited documents: "T" later document published after the international filing date of date and not in conflict with the application but cited to unconflict with the application with the applicati | | ation but cited to understand the | | |
| "E" earlier app | of particular relevance "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive when the document is taken alone | | claimed invention cannot be red to involve an inventive step | |
| "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the considered to involve an inventive ste | | when the document is | | |
| "O" document | referring to an oral disclosure, use, exhibition or other means | combined with one or more other such being obvious to a person skilled in the | | |
| "P" document published prior to the international filing date but later than the "&" document member of the same patent family priority date claimed | | | family | |
| Date of the actual completion of the international search Date of mailing of the international search report | | | | |
| 29 September 2004 (29.09.2004) | | | | |
| Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Authorized officer Rodney PV Swartz, Ph.D. Telephone No. 703-308-2035 | | | | |
| Alexandria, Virginia 22313-1450 Telephone No. 703-308-2035 (7 Facsimile No. (703)305-3230 | | | | |
| orm PCT/ISA/210 (second sheet) (July 1998) | | | | |





INTERNATIONAL SEARCH REPORT

BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claims 1-8, 33-38, and 85-101, drawn to method of altering Relmb activity and identifying compounds which alter.

Group II, claims 9-24, 39-74, and 102-104, drawn to DNA, transformed hosts and methods of use.

Group III, claims 25-33 and 75-76, 79-81, drawn to polypeptides and methods of use.

Group IV, claims 82-84, drawn to antibodies.

The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: each group is drawn to a functionally and structurally special technical feature. The special technical feature of Group I is a compound which alters Relmb activity, the special technical feature of Group II is nucleic acids, the special technical feature of Group IV is antibodies.



International application No.

PCT/US03/33692

| Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet) | | | |
|---|---|--|--|
| This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons: | | | |
| 1. | Claim Nos.: because they relate to subject matter not required to be searched by this Authority, namely: | | |
| 2. | Claim Nos.: because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically: | | |
| 3. | Claim Nos.: 77-78 because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a). | | |
| Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet) | | | |
| | onal Searching Authority found multiple inventions in this international application, as follows: ontinuation Sheet . | | |
| | | | |
| 1. | As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims. | | |
| 2. | As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee. | | |
| 3. | As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.: | | |
| 4. | No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-8,33-38 and 85-101 | | |
| Remark on P | The additional search fees were accompanied by the applicant's protest. No protest accompanied the payment of additional search fees. | | |
| | | | |